

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66033 of 2018

Arising Out of PS. Case No.-390 Year-2018 Thana- BUXAR District- Buxar

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Birendra Kumar S/o late Kanhaiya Singh Resident of Village- Shivpur, P.S.
Nawanagar, Distt. Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate
		Mr. Kumar Goutam
For the State	:	Smt. Reena Sinha

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-12-2018 Heard learned Senior Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Buxar Town P.S. Case No. 390 of 2018 registered for the
offense punishable under Sections 409/420/467/468/471/120(b)
of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present petitioner being a Clerk in Land Acquisition Office is
apprehending his arrest on account of a complaint filed before
the Public Grievance Redressal Officer wherein it had been
alleged that the petitioner being responsible for preparing the
award had in connivance with the applicants prepared an award
which was granted in favour of certain persons who had



fraudulently made an application stating that one of the agnates was issueless and in view thereof had obtained the benefits of such award. Learned Senior Counsel for the petitioner submits that, if at all, there was any allegation against the petitioner, the Public Grievance Redressal Officer ought to have given him an opportunity of hearing before proceeding to file a case against him. It is submitted that such right accrues to the petitioner by virtue of Section 5 of the Rule 5 of the 2015 Rules being the Bihar Right to Public Grievance Redressal Act. He, thus, submits that the petitioner is willing to provide whatever assistance is required to the Public Grievance Redressal Officer so he may be extended the privilege of anticipatory bail.

Having considered the entire facts and circumstances of the case and that the petitioner is willing to co-operate in the enquiry and hearing of the complaint which has been filed against him as well as other co-accused persons, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Buxar Town P.S. Case No. 390 of 2018, subject



to the conditions as laid down under Section 438 (2) of the
Cr.P.C.

It is made clear that the petitioner shall co-operate
with the investigation and any other proceeding which will
follow from such investigation.

(Anjana Mishra, J)

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